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Suite 4900
Commerce Court West
Toronto, Ontario
Canada M5L 1J3
Telephone (416) 862-7525
Facsimile (416) 862-7661
www.gowlings.com

Peter Milne
Direct (416) 862-5790
Direct Fax (416) 863-3590
Assistant (416) 862-5724
peter.milne@gowlings.com

Facsimile

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To: **GROUP ART UNIT 3635**
Attention: Yvonne M. Horton, Examiner
Company: **United States Patent and Trademark Office** City/Country: **Washington, D.C.**
Fax Number: **703-872-9326** Phone Number: **703-308-1909**
Date: **November 11, 2003**
Re: **U.S. Patent Application No. 09/809,307**
Total Pages: **6 (including cover)**
File Number: **T8464854US**
Staff Code: **2137**

Applicant: **Robert K. Smith**
Title: **FREE FLOATING SUB-FLOOR PANEL**
Filing Date: **June 6, 2001**

I hereby certify that the attached Supplemental Information Disclosure Statement dated is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below. Copies of the references cited are being forwarded via courier for hand delivery to the United States Patent and Trademark Office.

Peter Milne, Registration No. 34,534

Date: November 11, 2003


Signature

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[TOR_LAW\5546945\1]

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the application of:

Applicant: Robert K. Smith
Serial No.: 09/809,307
Filed: March 16, 2001
Title: FREE FLOATING SUB-FLOOR PANEL
Our Ref: T8464854US
Examiner: Horton, Yvonne Michele
Art Unit: 3635

OFFICIAL

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

To: The Commissioner of Patents and Trademarks
Washington, DC 20231
U.S.A.

Date: November 11, 2003

Further to Applicant's response after final dated November 6, 2003, Applicant is filing this Supplemental Information Disclosure Statement in the above case to draw to the Examiner's attention art which was just brought to Applicant's attention in the context of Canadian litigation.

As the number of pages involved is somewhat excessive for facsimile transmission, Applicant has forwarded a confirmation copy of the Statement along with copies of the cited references to its U.S. filing service by courier for hand delivery to the United States Patent and Trade Office.

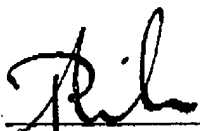
Should the case be in condition for allowance, Applicant respectfully requests that the Examiner await receipt of the additional references. Although Applicant does not believe any of the references to be any more pertinent than those already cited, Applicant would like to avoid having to refile the application in order to have the references considered.

- 2 -

Thank you for your assistance.

Respectfully submitted,

ROBERT K. SMITH



Peter Milne

Registration No. 34,534

Telephone: 416-862-5790

PM:hcu

Enc.

[TOR_LAW5551039U]

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Docket Number (Optional)

T8464854US

Application Number

09/809.307

Applicant(s)

SMITH, Robert K.

Filing Date

March 16, 2001

Group Art Unit

3635

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Brochure, <u>Delta-Flooring, Cosella/Dorken 02/96</u> Brochure, <u>Fuktspårren, Det Finns En Lösning På Gardagens Och Morgondagens Fuktproblem</u> , Dorken 98.08 Samlingsbroschyr Och Monteringsanvisning Brochure, <u>Building Products Worth A Second Look</u> , A Hanley-Wood, Inc. Publication, May/June 1999 Installation Guide, <u>Delta-Fl, Keeping Floors Warm & Dry</u> , Cosella/Dorken, 04/98
	Brochure, <u>Delta-MA, Air-Gap/Drainage Membrane</u> , Cosella/Dorken Davison, Brian <u>Installation Manual & Specification Guide</u> , Delta Membrane Systems Ltd., 1992

EXAMINER

DATE CONSIDERED

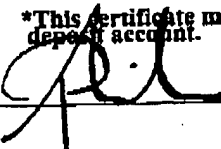
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))			Docket No. T8464854US
In Re Application Of: SMITH, Robert K.			
Serial No. 09/809,307	Filing Date March 16, 2001	Examiner Horton, Yvonne Michele	Group Art Unit 3635
Title: FREE FLOATING SUB-FLOOR PANEL			
<small>Address to:</small> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450			
37 CFR 1.97(b)			
1. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.			
37 CFR 1.97(c)			
2. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:			
<input type="checkbox"/> the statement specified in 37 CFR 1.97(e);			
OR			
<input checked="" type="checkbox"/> the fee set forth in 37 CFR 1.17(p).			

P10A/REV02

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))			Docket No. T8464854US
In Re Application Of: SMITH, Robert K.			
Serial No. 09/809,307	Filing Date March 16, 2001	Examiner Horton, Yvonne Michele	Group Art Unit 3635
Title: FREE FLOATING SUB-FLOOR PANEL			
<p style="text-align: center;">Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p style="text-align: center;">37 CFR 1.97(b)</p> <p>1. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p> <p style="text-align: center;">37 CFR 1.97(c)</p> <p>2. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p> <p style="padding-left: 40px;"><input type="checkbox"/> the statement specified in 37 CFR 1.97(e);</p> <p style="text-align: center;">OR</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</p>			

P10A/REV02

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))			Docket No. T8464854US
In Re Application: SMITH, Robert K.			
Serial No. 09/809,307	Filing Date March 16, 2001	Examiner Horton, Yvonne	Group Art Unit 3635
FREE FLOATING SUB-FLOOR PANEL			
Payment of Fee (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p)) <input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 07-1750 as described below. <input checked="" type="checkbox"/> Charge the amount of \$180.00 <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required. <div style="display: flex; justify-content: space-between;"><div style="width: 45%;">Certificate of Transmission by Facsimile*<div style="border: 1px solid black; padding: 5px; margin-top: 5px;">I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F: _____ (Date) _____ Signature _____ Typed or Printed Name of Person Signing Certificate</div></div><div style="width: 45%;">Certificate of Mailing by First Class Mail<div style="border: 1px solid black; padding: 5px; margin-top: 5px;">I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Certificate</div></div></div> <div style="margin-top: 10px;">*This certificate may only be used if paying by deposit account. <div style="display: flex; justify-content: space-between; align-items: flex-end;"><div style="width: 45%; text-align: center;"> _____ Signature #34534</div><div style="width: 45%; text-align: right;">Dated: 11 Nov 2003</div></div></div>			
cc:			